

Applicant : Robert E. Ray, Jr. et al. Art Unit: 1745
Serial No: 10/034,687 Examiner: Gregg Cantelmo
Filed : December 20, 2001
For : Electrochemical Cell Having Venting Current Collector and Seal Assembly

REMARKS

Claims 1, 8, 17, 22-25, 27, 32 and 38 have been amended. Claim 16 has been cancelled. Claims 1-15 and 17-44 remain in the application. Reconsideration of the application and allowance of the claims as amended are requested.

Claim 1 has been amended to further recite that the shaft comprises an enlarged portion, that the upstanding wall of the seal member is retained by the enlarged portion of the shaft when in a sealed position and that the upstanding wall of the seal member is forced to move over the enlarged portion of the shaft to the vent position. The spelling of "seal" has also been corrected.

Claim 8 has been amended to recite that the enlarged portion of the shaft is an enlarged diameter step and the upstanding wall of the seal member moves along the shaft to the vent position.

Claims 17, 22 and 23 have been amended to depend from claim 3 rather than claim 16.

Claim 24 has been amended to further recite that the shaft comprises an enlarged portion, that the seal member is retained by the enlarged portion of the shaft when in a sealed position and that the central hub of the seal member is forced to move over the enlarged portion of the shaft to a vent position. The spelling of "collector" has also been corrected.

Claim 25 has been amended to recite that the enlarged portion of the shaft is an enlarged diameter step.

Claim 27 has been written in independent form, including the features of previously presented claim 1.

Claim 32 has been amended to further recite that the shaft comprises an enlarged step, that the upstanding wall of the seal member is retained by the enlarged portion of the shaft when in a sealed position and that the upstanding wall of the seal member is forced to move over the enlarged portion of the shaft to the vent position.

Claim 38 has been amended to recite that the enlarged portion of the shaft is an enlarged diameter step.

In the Office action mailed on May 3, 2004, the Examiner rejected claims 1-5, 7, 13-18, 20-24, 28-35, 37, 43 and 44 under 35 USC §103(a) as unpatentable over Japanese Patent Publication No. 59-33751 (JP '751) and claims 6, 19 and 36 under 35 USC §103(a) as

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unpatentable over JP '751 in view of US Patent No. 5,188,909 (Pedicini). The Examiner found claims 8-12, 25-27 and 38-42 to be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. In the Advisory Action mailed on July 16, 2004, the Examiner did not find the arguments in Applicants' July 6, 2004 reply to be persuasive and maintained the rejections. The claims have been amended above to overcome the rejections under 35 USC §103(a).

Each of independent claims 1, 24 and 32 has been amended to add features to distinguish over JP '751 and Pedicini. Neither JP '751 nor Pedicini discloses a current collector having a shaft with an enlarged portion which retains the seal member in a sealed position and over which the seal member is forced to move to a vent position.

Independent claim 16 has been cancelled, and claims 17, 22 and 23, which had depended from claim 16, have been amended to depend from claim 3.

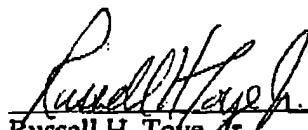
Claim 27, which the Examiner found to contain patentable subject matter, has been rewritten in independent form, but containing the limitations of previously presented claim 1 rather than claim 24. Neither JP '751 nor Pedicini discloses a current collector having a current collector including one or more flutes formed therein for providing the pressure relief passage when in the vent position.

For the above reasons, the rejections of claims 1-15 and 17-44 have been overcome by the amendments, and claim 16 has been cancelled. It is believed that claims 1-15 and 17-44 are now in condition for allowance. Withdrawal of the rejections and allowance of claims 1-15 and 17-44 are requested.

Respectfully submitted,

Date:

8/31/04


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